1908-09.

AGRI. FILE No. 91 OF 1908-09.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

PROCEEDINGS OF THE GENERAL AND REVENUE DEPARTMENTS.

REVENUE (AGRICULTURE).

"A" Collection, Serial Nos. 1—5.

JANUARY 1909.

Amendments to the General Rules under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code issued in November 1908.

TABLE OF CONTENTS.

Serial No. of File	Number and date of letter and contents	Reference	Page in Part A
1	To the Revenue Commissioner in Mysore, D. O. No. 1439, dated 5th December 1908. Requests him to favor Government with his opinion as to the relaxation of the condition requiring the production of encumbrance certificates on lands offered as security and as to the desirability of empowering shekdars to conduct local enquiries, in the General Rules issued under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code.	G. O. No. R. 3047-56—Agri. 135-05-7, dated 18th November 1908, and Notification No. R. 3057—Agri. 135-05-8, dated 18th November 1908.	1
2	From the Revenue Commissioner in Mysore, D. O. No. 303, dated 11th December 1908. States that the question of obtaining the encumbrance certificate in each case may be left to the discretion of the sanctioning officer instead of doing away with the certificate altogether, and that in the matter of empowering shekdars to hold local enquiries he is not in favor of delegating any such power to the shekdars.		2—4
3	To the Revenue Commissioner in Mysore, Deputy Commissioners of Districts, Comptroller to Government, G. O. No. R. 4309-18, dated 2nd January 1909. Sanctions certain modifications to the rules for the grant of loans under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code issued under G. O. No. R. 3047-56—Agri. 135-05-7, dated 18th November 1908, and directs the issue of revised consolidated rules.		4—7
4	Notification No. R. 4319, dated 2nd January 1909. Prescribes revised rules in supersession of those issued under Notification No. R. 3057—Agri. 135-05-8, dated 18th November 1908.		7—33
5	Notification No. R. 4651, dated 11th January 1909. Directs the correction of an erratum in the rules published with Serial No. 4 above.		34

)08 09.

GENERAL AND REVENUE SECRETARIAT.

(AGRICULTURE.)

NOTES.

FILE No. 91 OF 1908-09.

Amendments to the General Rules under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code issued in November 1908.

Sl. No. 1. To the Revenue Commissioner, D. O. No. 1439, dated 5th December 1908.

Requests him to favour Government with his opinion as to the relaxation of the condition requiring the production of encumbrance certificates on lands offered as security and as to the desirability of empowering shekdars to conduct local enquiries, in the general rules issued under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code.

Sl. No. 2. From the Revenue Commissioner in Mysore, D. O. No. 303, dated 11th December 1908.

States that the question of obtaining the eucumbrance certificate in each case may be left to the discretion of the sanctioning officer instead of doing away with the certificate altogether and that in the matter of empowering shekdars to hold local enquiries he is not in favor of delegating any such power to the shekdars.

1. Bring before the next meeting of Council.

V. P. MADHAVA RAO.
11-12-08.

2. Please put up with references and a note.

C. S. BALASUNDARAM IYER.
12-12-08.

3. Submitted with references.

P. A. K.
12-12-08.

B. K.
12-12-08.

4. The question for consideration is whether, as required by Rule XVII of the rules issued recently under the Land Improvement Loans Regulation, etc., it is necessary to make a reference to the Registration Department for an encumbrance certificate in case of all loans exceeding Rs. 50. The Revenue Commissioner is of opinion that as under the proviso to Section 7 of the Land Improvement Loans Regulation, these loans affect the entire interest of the borrower in the land for the benefit of which the loan was granted and any mortgages or charges in that interest created by him whether prior or subsequent to that loan, it is unnecessary to insist upon the production of such a certificate but, as on equitable consideration it is desirable as far as possible to respect all prior encumbrances if they may be properly ascertained, discretion may be given to the Deputy Commissioners or the officers empowered to grant the loan to send for such certificates whenever they may consider it necessary. In the preliminary enquiry which is required to be held before the loan is granted, enquiry is required to be made to see that the land is free from encumbrances or is not burdened with arrears of land revenue or has already been hypothecated to Government. Under Rule XV notice is given of the application for the loan by means of a tom-tom in the village so that any objections that there may be to the grant of the loan may be brought forward. The enquiry by the Amildar is required to be local. Thus the rules provide ample facilities for persons to whom the land might have been mortgaged to bring the existence of the mortgage to the

notice of the officers holding the enquiry and there seems to be no necessity for Government to take any special action themselves to get information as to the existence of such interests. If the mortgagee is not a resident of the village, he will have some agent to represent him and he can always sue the mortgagor in damages and have him punished criminally if he gets a loan after wilfully concealing the existence of the prior encumbrance. Interests independent of the borrower are not subject to the priority of the claim of Government and as it may often happen that the registered occupant possesses only a partial interest in the land, it is necessary in the interests of Government to secure information regarding the existence of such interests and in these cases, as observed by the Revenue Commissioner, the Sub-Registrar's certificate will be useful.

5. In the case of loans under Section 194, Land Revenue Code, the Revenue Commissioner considers the production of a certificate of encumbrance absolutely necessary, as no such priority as is given to loans under the Land Improvement Loans Regulation may be claimed in the cases of lands given as security for loans under Section 194. Though there is no provision similar to Section 7 of the Land Improvement Loans Regulation for these loans, yet Section 143 of the Land Revenue Code will apply to them also. It clearly lays down that the claim of Government to any moneys recoverable under the provisions of this chapter shall have precedence over any other debt, demand or claim whatsoever, whether in respect of mortgage, judgment decree, etc., against any land or the holder thereof; and in Bombay it has been held that it will entirely depend upon the procedure adopted and if steps are taken under Section 159 (by forfeiture of the occupancy) instead of under Section 161 (sale of the right, title and interest), the claim of Government will be entitled to the same precedence as land revenue. Taking Section 143, therefore, as applicable to loans under Section 194, Land Revenue Code, there will be no reason to distinguish between loans under the Land Improvements Loans Regulation and loans under Section 194, Land Revenue Code. In both cases, it seems to be sufficient to leave it to the discretion of the sanctioning officer to send for such a certificate. If this view is accepted, the clause "except in the case of small loans not exceeding . . . or as collateral security" may be omitted from Rule XVII and a new rule added making it discretionary with the officer granting the loan to call for a certificate from the Sub-Registrar.

6. With regard to delegating the power of holding the enquiry to shekdars, the Revenue Commissioner has given somewhat cogent reasons for not doing so. It is, however, to be borne in mind that by requiring each case to be personally enquired into by the Amildar or Assistant Commissioner, it is very probable that applications from the interior of the taluks will not be sufficiently investigated nor perhaps promptly dealt with. Except in exceptional years like the present it may not be worth while to appoint a special officer to grant these loans, and so the proposal to multiply the number of officers granting the loans is not practicable. As a matter of fact, the shekdars take the most principal part in the enquiry in most cases and we may perhaps allow the enquiry to be held through shekdars in all cases in which Amildars and Assistant Commissioners are competent to sanction loans. The limits in such cases will be Rs. 200 under loans for land improvement and Rs. 100 for loans under Section 194.

7. Circulated to Councillors as ordered by the Dewan.

P. G. D'SOUZA.
12-12-08.

8. Seen.

T. ANANDA ROW.
13-12-08.

P. PUTTANNA CHETTY.
13-12-08.

Submitted to His Highness.

9. I submit for sanction the proposals contained in the accompanying Resolution of Council for further revising the takavi rules on the lines of the Madras rules :—

(1) By dispensing with the production of encumbrance certificates, except where the sanctioning authority specially requires it,

2) by empowering shekdars to hold local enquiries, and

3) by increasing the powers of sanction of the different classes of officers.

V. P. MADHAVA RAO.

17-12-08.

Extract from the Proceedings of the 218th meeting of the Council of His Highness the Maharaja held at Bangalore on the 14th December 1908.

Subject.—(Clause II of Schedule.)

Further revision of the rules for the grant of loans under the Land Improvement Loans Regulation and under Section 194 of the Land Revenue Code.

(1) *Opinion of Council.*—In the light of the facts brought to notice in the Dewan's tour notes, the Council observe that the new takavi rules lately sanctioned by Government at the instance of the Revenue Commissioner do not constitute any great improvement on the old rules. They differ from the old rules chiefly in that they extend the power of granting loans under the Land Improvement Loans Regulation to Assistant Commissioners and Amildars up to a limit of Rs. 200 and Rs. 100, respectively, (while reducing the maximum limit of loans under Section 194 of the Land Revenue Code which an Assistant Commissioner is competent to sanction from Rs. 250 to Rs. 100) and in that the new rules make provision for the summary grant of small loans up to a limit of Rs. 50 by Assistant Commissioners. But the great defect in the old rules was the cumbersome procedure laid down regarding encumbrance certificates being obtained in each case from the Sub-Registrar. This was found to stand in the way of advances being given promptly and readily. The British Government remedied this defect so far as back as November 1905, but the Revenue Commissioner was for the retention of the provision. The Council after studying the rules obtaining in British India, and the Government Resolutions and Board's orders* on the subject, have, however, no hesitation in recommending that the Madras Rules should be adopted in their entirety. The attention of the Revenue Commissioner having been drawn to this point, he says that encumbrance certificates should be insisted on in the case of loans under Section 194 of the Land Revenue Code, but may be dispensed with in the case of loans under the Land Improvement Loans Regulations, though even here he says that it is better to leave the question to the discretion of the sanctioning officer. He is virtually therefore in favour of the existing provision being retained.

Agri. 135-05-8.

*Page 152, Vol. II of the Standing Orders of the Board of Revenue, Madras.

(2) The Council are not, however, prepared to accept his views and they think that it is desirable in every way to adopt the Madras Rules. The Madras Government have anticipated the objections now raised by the Revenue Commissioner and met them in paras 7, 8 and 9 of the subsidiary instructions issued by the Board of Revenue. The Council are therefore of opinion that for the last sentence of para. XVII of the Rules issued under the Notification* of 18th November 1908, the following may be substituted:—

*Agri. 135-05-8.

"When land or other immoveable property is offered as collateral security for a loan under the Land Improvement Loans Regulation, or as security for a loan under Section 194 of the Mysore Land Revenue Code, it will be open to the Deputy Commissioner or other officer empowered to grant the loan to make a reference to the Registration Department in Form No. VII hereto annexed or in some similar form for an encrumbrance certificate in respect of the property offered as security, if, for reasons to be recorded in writing, he considers it necessary or desirable to do so. Otherwise and in all cases where the land to be improved is itself accepted as the security, no such reference need be made. The search in Registration Offices shall be limited to the records of the twelve years preceding the date of application for the loan."

(3) Subsidiary instructions similar to those contained in paras 7, 8 and 9 of the Madras Revenue Board's instructions may also at the same time be issued for the guidance of officers empowered to enquire into loan applications.

(4) The Council find that in another respect also, *viz.*, as regards the officers authorised to hold local enquiries, the rules are calculated to unnecessarily prolong the disposal of applications. This defect also the Madras Government have met by modifying their rules. The Revenue Commissioner wishes the old sytem of

making Amildars to hold these enquiries to continue. If this is done, applications cannot be disposed of speedily or relief given in time. The Council think the practice obtaining in Madras of authorizing the Revenue Inspectors (shekdars) to hold these local enquiries might with safety be adopted in Mysore. It is practically impossible for the Amildar to hold a local enquiry in each case. The Revenue Commissioner says that it is not desirable to authorize shekdars to hold the enquiry in such cases "as the officers now serving as such are quite useless." He thinks that the adoption of the Madras Rule "will only create a loop-hole for perfunctory action on the part of higher officers" and says that "Government may themselves be aware that, as it is, cases of such perfunctory action on the part of Amildars are not a few." The Council are of opinion that this is too sweeping a remark to make about the shekdars and that in any case the presence of a few incompetent men should not be made the reason for not simplifying the rules and giving the people the full benefit of such rules. Where the shekdars are bad they should be made more reliable by the exercise of proper supervision on the part of the higher officers. And after all, the shekdar will have no power to order payment, and if the Amildar is not satisfied with the shekdar's enquiry he can order further enquiry, or in rare cases take up the enquiry himself. The Revenue Commissioner also observes that some of the Amildars themselves are perfunctory in their ways. This, again, is a matter for the supervising officers to rectify, and is no argument for not introducing these useful rules especially at this juncture.

(5) In these circumstances the Council are of opinion that the following modifications of the Rules of 18th November 1908 may be made:—

Rule XIV—for the words "Amildar or the Deputy Amildar" substitute "shekdar."

Rule XV—for the words "An Amildar (including Deputy Amildar)" substitute "shekdar." After the words "a local enquiry" and before the words "on receipt of an application" add the words "when the amount applied for exceeds Rs. 500 the local enquiry shall be held by an officer not lower in rank than an Amildar or Deputy Amildar."

(6) Lastly, the maximum limit of loan which officers of the different grades are competent to sanction may, in the opinion of the Council, well be raised to the limits allowed by the Madras Rules and, as in Madras, the same limit may be fixed for both kinds of loans, instead of a higher limit for loans under the Land Improvement Loans Regulation and a lower limit for loans under Section 194 of the Land Revenue Code, as is the case under our present rules. As it is, Tahsildars in Madras are competent to sanction larger loans than our Assistant Commissioners.

The following may therefore be substituted for the present Rule II:—

"II. The officers mentioned below shall be competent to sanction loans not exceeding the sums specified against them:—

	Rs.
Amildars and Deputy Amildars	250
Sub-Divisional Assistant Commissioners	500
Deputy Commissioners	1,000
Revenue Commissioner	2,500

Explanation:—An officer is not precluded by this rule from granting several loans to the same individual, although the aggregate amount thereof may exceed the maximum prescribed. Such loans shall, however, be for distinct purposes and be covered by separate and independent security."

As a consequential amendments, for the figures 500 in Rule XXVI will be substituted the figures 1,000. At the end of Form 6, the word shekdar will be substituted for the word Amildar in the two places where it occurs.

V. P. MADHAVA RAO,
Dewan of Mysore.

Subject.

Further proposals in regard to the revision of the Takavi rules on the lines of the Madras Rules.

Order.

10. The proposals are sanctioned in view of the unanimous opinion of Counc and of existing circumstances. But the working of the rules as altered will nee to be closely watched and the need of strict supervision over their subordinate should be impressed on Assistant Commissioners and Amildars.

K. R. W.
21-12-08.
V. P. M.
22-12-08.

Seen.
T. A. R.
23-12-08.
K. P. P.
23-12-08.

11. Let me see draft.

K. S. CHANDRASEKHARA AIYAR.
23-12-08.

12. Submitted with a draft.
T. S. R.
26-12-08.

P. G. D'SOUZA.
26-12-08.

13. A fresh draft put up, please get copies of the same in proof for submission the Dewan.

K. S. CHANDRASEKHARA AIYAR.
27-12-08.

P. S.—I have given copies of the rules with the amendments worked in, to the Press Manager personally for being placed in type.

K. S. C.
27-12-08.

14. The draft order has been approved by the Dewan. Please send it to Press to be set in type. Let me see proof. —Order not to issue till the inclusion of the Saguvali katte rules in the notification is approved by His Highness.

K. S. CHANDRASEKHARA AIYAR.
28-12-08.

15. The Dewan notes that the new Takavi Rules do not affect the rules *re* loans for Saguvali kattes, regarding which the rules of 1891 are still in force. He wishes to have only one set of rules. Will you kindly put up a note on the question whether the rules *re* Saguvali kattes may not be cancelled, if necessary making suitable additions or modifications in the new Takavi Rules?

Please submit your note through the Secretary, to whom the Dewan has spoken about the matter.

K. MATTHAN.
17-12-08.

16. When the revised rules were passed, the question of treating the special rules regarding Saguvali kattes independent of the new rules was also discussed.

The reason why they were not incorporated with the new rules is that they are not applicable throughout the State, but only to those parts of the State where black cotton soil or other lands suitable for the construction of Saguvali kattes exist, *i.e.*, perhaps only the Chitaldrug District and the bordering parts of the Kadur and Tumkur Districts. They ordinarily come under the category of tanks mentioned in Rule I (A) of the revised rules, and there would be no difficulty in applying the provisions relating to tanks to them but for some distinction which has been made in their favour to afford special facilities for their construction. These are:—

(1) The maximum amount of the loan is fixed at Rs. 300 ordinarily and in special cases at Rs. 500, whereas for tanks there is no limit. In the case of improvements, these limits are Rs. 50 and Rs. 100 respectively.

(2) The special rate of interest for these loans is 4 per cent, whereas the ordinary rate under the rule is 5 per cent.

(3) The periods within which the work should be commenced and completed are specified.

17. If all these special provisions are to be kept up, so many exceptions have to be made in the rules that it will cause a certain amount of unnecessary confusion.

18. The best course seems to be to treat these loans as of the kind for which special rules may be framed under Rule XXXV of the revised rules. It is sufficient to omit the last sentence in the preamble to the rules and declare that the rules relating to Saguvali kattes are the special rules contemplated by Rule XXXV. Rule 7 of the rules for advances for Saguvali kattes is unnecessary as this is provided for in Rule XXXV itself.

19. If this view is approved, a draft notification will be put up. If it is, however, decided to incorporate all the provisions in the rules themselves, this may be done in the following manner:—

	Maximum	Minimum
After Rule I A, insert—		
A. For the construction of a Saguvali katte*	 500	No minimum
For improvement or restoration of an existing katte	100	do

*Definition of Saguvali katte.

20. With regard to interest, Rule III gives discretion to Government to grant loans in special cases at reduced interest and so we may, by a special order, declare what the rate of interest on these loans will be. Otherwise Rule III may be amended by the insertion of the words "for the construction and improvement of Saguvali kattes" before "for the relief of distress" and of the sentence "In the case of loans for the construction and improvement of Saguvali kattes the rate of interest will be 4 per cent per annum" after "distress." Omit the word "latter" in the last sentence and add "of loans granted for the relief of distress" after the word "case" in the 3rd sentence of Rule III.

21. With regard to the conditions regarding commencement of work, no special rule is necessary as this can be provided for in the form prescribed for granting the loan (Form No. 8) by suitable alterations in condition (*b*) (i) and (ii) thereof. On the whole, however, I think that it is desirable to issue these rules as supplementary rules under Rule XXXV as I have first suggested.

P. G. D'SOUZA.
19-12-08.

22. I have embodied the necessary additions, etc., about Saguvali kattes in the General Rules. One consolidated notification may be issued, and spare copies printed in handy form. The alterations decided on at a recent Council meeting about dispensing with Registration certificate, etc., may also be incorporated.

K. S. CHANDRASEKHARA AIYAR.
21-12-08.

23. With a view to secure uniformity, it is desirable to fix the interest on loans for the construction of Saguvali kattes also at 5 per cent. As regards commencement and completion of work, no special rules are necessary; it will be sufficient if conditions (*b*) (i) and (ii) of Form 8 (order granting the loan) are suitably modified. The only additions that are necessary are therefore those indicated by the Secretary in the Preamble and in the Rule I.

24. Please circulate to Council.

25. Early steps should be taken to print and publish the amended rules both in English and in Kanarese in a convenient size. (The size may be that of the Manual of Famine Administration). The alterations indicated above may also be incorporated tentatively in anticipation of the amendments being passed before the rules are ready for publication.

V. P. MADHAVA RAO.
23-12-08.

26. File circulated to—

(1) The Second Councillor, with a request that after perusal the papers

(2) The First Councillor.

K. S. CHANDRASEKHARA AIYAR.
27-12-08.

27. The revised draft notification which includes Saguvali kattes may be approved. For the sake of uniformity the interest is raised from 4 to 5 per cent.

K. P. PUTTANNA CHETTY.
27-12-08.

28. I concur. The time limits contained in the existing Saguvali katte rules are not repeated in this draft of revised rules. The effect would be that they will be fixed in each case when Form No. 8 is issued.

T. ANANDA ROW.
28-12-08.

29. The Dewan understands that there is not much scope for the extension of the system of constructing Saguvali kattes, and on further consideration he thinks that the rules regarding the grant of loan for the construction of such kattes may be left as they are. It will be sufficient if, in issuing the Takavi Rules in a convenient size, these rules are also printed at the end for convenience of reference.

By Order,
K. MATTHAN.
29-12-08.

30. The Dewan desires that the above order may be communicated to the Councillors. The draft which he approved yesterday will, of course, have to be modified.

K. MATTHAN.
29-12-08.

31. Do so please.

Let me have proof of the draft order also.

K. S. CHANDRASEKHARA AIYAR.
29-12-08.

32. The draft altered according to the above instructions is submitted. A copy of the proof of the notification with necessary alterations is also put up for approval.

T. S. R.
B. K.
30-12-08.

33. Altered draft submitted to Councillors.

P. G. D'SOUZA.
30-12-08.

34. The draft may be approved.

T. ANANDA ROW.
31-12-08.

35. May be approved.

K. P. PUTTANNA CHETTY.
1-1-09.

36. Please have the revised rules issued in a Gazette Extraordinary to-morrow, or at latest on Monday.

The order should issue on the same date.

K. S. CHANDRASEKHARA AIYAR.
1-1-09.

Sl. No. 3. To the Revenue Commissioner in Mysore, to the Deputy Commissioners of Districts, and to the Comptroller to Government, G. O. No. R. 4309-18, dated 2nd January 1909.

Sanctions certain modifications to the rules for the grant of loans under the Land Improvement Loans Regulaeion (No. IV of 1890) and Section 194 of the Land Revenue Code (Regulation No. IV of 1888) issued under Government Order No. R. 3047-56—Agri. 135-05-7, dated 18th November 1908, and directs the issue of revised consolidated rules.

Sl. No. 4. Notification No. R. 4319, dated 2nd January 1909.

Prescribes revised rules in supersession of those issued under Notification No. R. 3057—Agri. 135-05-8, dated 18th November 1908.

37. The above Notification was published in the *Mysore Gazette*, Extraordinary, dated the 4th January 1909.

D. O. letter No. 38, dated 8th January 1909 from Mr. M. Chengiah Chetty, Deputy Commissioner, Chitaldrug District, to the Secretary to Government, General and Revenue Departments.

38. I beg to invite your kind reference to Section 1 of the revised rules framed under the Land Improvement Loans Regulation and published with the Extraordinary issue of the *Mysore Gazette* dated 4th instant, in which the minimum for granting loans to agriculturists under various heads has now been fixed at Rs. 50, whereas in the rules published on the 18th November 1908, no minimum had been prescribed for loans to be granted under the head B in Section 1 of the said rules. The restriction which has found a place in the present rules will, if given effect to, practically debar all applications for loans for less than Rs. 50 from being entertained. It is the poorer classes of agriculturists and small land owners that are very eager now to take advantage of the concessions so generously offered by Government and the applications received from such persons in the several affected taluks in this district generally have been for sums less than Rs. 50 especially for fodder and subsistence allowance. My impression is that the omission of the words "no minimum" in the present rules against the head B in Section 1 is due to a mistake in printing and if so, I beg that you will kindly see the omission being supplied and notified.

I may also state that at the Conference held on 7th December 1908 at Bangalore, it was decided that for subsistence allowance, the maximum shall be Rs. 50 and the minimum Rs. 15.

An early reply will much oblige.

39. Please look into this and let me know.

K. S. CHANDRASEKHARA AIYAR.

11-1-09.

40. A notification directing the necessary correction was approved by the Secretary and published in the *Mysore Gazette* Part I, dated 14th January 1909.

Sl. No. 5. Notification No. R. 4651, dated 11th January 1909.

Directs that the word "ditto" in the column headed "Minimum" in Rule I of Notification No. R. 4319—Agri. 91-08-4, dated 2nd January 1909, opposite to item B, clause (i), be replaced by the words "No minimum."

No. R. 4652-61, dated 11th January 1909.

Forwards copy of the above Notification to the Revenue Commissioner, the Comptroller and the Deputy Commissioners of Districts.

41. A demi-official letter to the Deputy Commissioner, Chitaldrug District, informing him that necessary corrections have been directed to be made was sent on 12th January 1909 in reply to his D. O. of 8th idem.

[illegible] the Maharaja of Mysore.

[illegible]ments to the General Rules under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code, issued in November 1908.

FILE No. 91 OF 1908-09.

D. O. letter No. 1439 from Mr. K. Matthan, Under-Secretary on duty with the Dewan, to A. Rangaswami Iyengar, Esq., Revenue Commissioner in Mysore.

I am desired to invite a reference to the marginally noted extract from the Dewan's tour notes* for the 30th November 1908.

Serial No. 1.

* On the way to Pavagada I stopped for some time at Madaksira (Madras Presidency) and made enquiries of the Tahsildar, who met me, about the state of things in that taluk. He said that the dry crops had failed entirely, that the tanks had received, no water, and wet crops, except under Kapila wells, had also failed, and that they were on the verge of famine.

As to precautionary measures taken, he said that since 1st April last a sum of about Rs. 20,000 had been advanced to raiyats for sinking irrigation wells and in few instances for puchasing plough bullocks to replace those that had died, that of this amount Rs. 10,000 had been disbursed within the past one month and that he was going to apply for Rs. 15,000 more for the same purpose. He said that no relief works or test works were proposed to be opened just yet, and that it was considered that the loans given for sinking irrigation wells would provide sufficient labor for the poorer classes. The activity in British India in granting these takavi loans should be an example to our officers. In one taluk a British Tahsildar has in one month advanced more loans of the kind than we have done in the whole State. This is no doubt partly due to the fact that hitherto our rules did not empower Amildars to grant loans and even Assistant Commissioners could grant only very small sums, and besides, the procedure prescribed was rather cumbrous. The Tahsildar told me that he was sanctioning loans up to Rs. 500. When an application is received, a local enquiry is made by the Revenue Inspector on the spot, and on his report the loan is sanctioned by the Tahsildar. Except in cases of doubt, certificates as to the absence of encumbrances on the property offered as security are not called for from the Sub-Registrar. The new Takavi Rules which were passed by Government last month and which are now in the Press give some powers of sanction to Amildars and enhanced powers to Assistant Commissioners and prescribe a simpler procedure than under the old rules, and I hope that Revenue Officers will now push on with this work and by prompt and free advances of loans make up for lost time. I also learned from the Tahsildar of Madaksira that subsistence advances are given to raiyats to enable them to maintain themselves until the next harvest, but only after the existence of distress has been recognized by the Local Government, *i. e.*, after famine has been declared. There is, however, no such restriction as regards the grant of advances for the purchase of fodder for cattle.

2. The Government note that the Takavi rules proposed by you and sanctioned by Government in Notification No. R. 3057—Agri. 135-05-8, dated 18th November 1908, differ from the old rules chiefly in that they extend the power of granting loans under the Land Improvement Loans Regulation to Assistant Commissioners and Amildars up to a limit of Rs. 200 and Rs. 100 respectively (while reducing the maximum limit of loans under Section 194 of the Land Revenue Code which an Assistant Commissioner is competent to sanction from Rs. 250 to Rs. 100) and in that the new rules make provision for the summary grant of small loans by Assistant Commissioners. But the system of insisting on encumbrance certificates being obtained from the Sub-Registrar in all cases (except in cases of small loans summarily advanced) has been retained, and the Government are of opinion that so long as this provision exists, the disposal of applications for loans must be slow and the relief proposed to be given in this present season of distress may not be timely or reach as large a number of people as it is desirable to benefit. With a view to make the present rules a real improvement on the old rules in this respect, the Government would be glad to know whether you have any objection to their adopting the Madras rules in their entirety and making the production of the encumbrance certificate necessary only in cases where the Deputy Commissioner may require its production.

3. The Government would also be glad to have your opinion as to whether, as in Madras, it would not be desirable to empower shekdars to hold local enquiries in regard to loan applications up to a maximum of Rs. 500 and whether Amildars may not be empowered to hold the local enquiry in cases of [illegible] that limit.

4. I am to add that the Gov[illegible] reply to this reference

Amendments to the General Rules under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code issued in November 1908.

D. O. letter No. 303, dated 11th December 1908, from A. Rangaswami Iyengar, Esq., Revenue Commissioner inMysore, to Mr. K. Matthan, Under-Secretary to Government on duty with the Dewan.

Serial No. 2.

1. I am in receipt of your D. O. letter of the 5th instant calling for my opinion on certain further relaxations proposed to be made in the rules for the grant of land improvement loans and request that you will be so good as to place the following remarks before Government.

2. First, as regards the question of dispensing with the present system of obtaining encumbrance certificates from the Registration Department, I was not aware of the changes effected by the Madras Government in their rules in this respect, at the time the draft of the rules recently approved by Government was submitted to them. But, as the question had already been raised by the Government of India in para 7 of their Resolution, No. 6-204-16, Rev. and Agri., dated 30th November 1905, it was not overlooked by me then. As it did not however admit of a simple solution, no alterations were proposed in this respect.

3. As observed by the Government of India in their Resolution referred to above and as also explained clearly in the accompanying extracts from the standing Orders of the Madras Government, *previous* mortgages and other charges on the interest of the borrower *in the land proposed to be improved by means of a loan under the Land Improvement Loans Regulation* are not protected by the proviso to Section 7 (1) (*c*) of the said Regulation. Encumbrance certificates may, therefore, be dispensed with, as a rule, in cases where such land is by itself found to be sufficient security for the loan applied for. But, as even in such cases, the previous encumbrances should be respected as far as is consistent with the rights of Government (*vide* the extract referred to above), we may leave the question of obtaining an encumbrance certificate in each case to the discretion of the sanctioning officer rather than do away with the certificate altogether. To this extent our rules may be modified.

4. Previous encumbrances on lands offered as primary security for 'Takavi advances under Section 194 of the Land Revenue Code or on lands or other immoveable property offered as collateral security for loans under either of the two Regulations are not similarly *protected* by the law. If the precaution of verifying previous encumbrances is not taken in such cases the Government may run much risk. The statements of the applicants and sureties on this point cannot always be accepted without departmental verification.

5. Besides ascertaining the extent of previous encumbrances, it is also necessary, in these cases, to determine the exact interests of the applicants or the sureties in the lands; for cases in which lands are held by more than one person are numerous in our State. The shanbhog and his registers (the 'Khate' and the Khetwar Patrak') are not a safe guide for this purpose and it is possible that a search in the Registration Department will afford a clue for tracing the interests of other persons, if any, in the property.

6. In order that no delay may occur, however, in such cases, the sanctioning officers may be empowered to advance a part or the first instalment of the loan applied for, pending the necessary verification in the Sub-Registry Offices. And if, at any time, the work of the Sub-Registrar is so heavy as not to permit of a prompt and timely verification, the sanctioning officer may be empowered to depute a competent clerk of his own office for looking up the records of the Sub-Registrar's Office.

7. Coming now to the question of empowering shekdars to hold local enquiries, I have only to repeat what I have already explained at length in my previous letters to Government, Nos. 11343,* dated 14th June 1906 and 13425,† dated 15th May 1907, as I am still strongly of opinion that the proposed amendment of the rules

* Agri. 135-05-4
† Agri. 135-05-6

will only create a loophole for perfunctory action on the part of higher officers and possibly to corruption among inferior officers. Government may themselves be aware that, as it is, cases of such perfunctory action on the part of Amildars are not a few. The object of the proposed modification will, I think, be gained better by apportioning the work of enquiry among a larger number of higher officers when there is an unusually large number of applications than by shifting the responsibility to inferior shoulders. I append hereto, for the information of Government, a copy of my docket No. 5352, dated 26th November 1908, recently sent to the Deputy Commissioner, Chitaldrug District, on this subject.

ENCLOSURE TO THE ABOVE (1).

Extract from the Standing Orders of the Board of Revenue (Land Revenue Settlement and Miscellaneous), Vol. II, pages 175 and 176.

7. Mortgages and other charges on the interest of the borrower are not protected by the proviso to Section 7 (1) of Act XIX of 1883, and are therefore liable to be extinguished if the land is sold with reference to Section 42 of Madras Act II of 1864. As far as is consistent with the rights of Government, however, such encumbrances should be respected. When an enquiry made under Rule XIV elicits the fact that such encumbrances exist, the amount of such encumbrances should be deducted in estimating the value of the security given by the borrower's interest in the land to be improved. But no elaborate enquiry is necessary in order to discover such encumbrances, and if the encumbrancer fails to bring them to notice at the enquiry held under Rule XIV, they may be ignored. Due weight should also be given to the fact that the value of the land as security to the mortgagee will generally be increased by the improvement.

8. The proviso to Section 7 (1) of Act XIX of 1883 protects from extinction, in case of sale, on default, of the land to be improved, other interests which existed before the grant of the loan. It is therefore necessary that special precautions should be taken in order to safeguard the interests of Government when such other interests exist.

9. No reference should be made to the Registration Department for encumbrance certificates in the case of loans under the Land Improvement Loans Act where the land to be improved is itself accepted as sufficient security, the interest of Government being safeguarded by Section 7 of the Act. Encumbrance certificates may, as a general rule, be also dispensed with, when land or other immovable property is offered as collateral security under the Land Improvement Loans Act or as security under the Agriculturists' Loans Act inasmuch as the applicant for the loan or his surety is required under Rule XIII to make in his application a declaration that the statements contained therein as to the nature and extent of the encumbrances on the property offered as security are true to the best of his information and belief and that he believes that there are other encumbrances on the property. The Collector or other officer empowered to grant the loan should call for encumbrance certificates from the Sub-Registrar concerned only in special cases in which he deems it necessary to do so, and in such cases he should record in writing his reasons for so doing. The search fees payable to Government in all cases where the amount of loan does not exceed Rs. 750, should be borne by Government.

ENCLOSURE (2).

Letter No. 5352, dated Bangalore, 25th November 1908, from the Revenue Commissioner in Mysore to the Deputy Commissioner, Chitaldrug District.

His letter No. 271, dated 20th November 1908, requesting that the rules for the grant of takavi advances, etc., may be relaxed so as to empower shekdars to

conduct preliminary enquiries about applications for such advances and report upon them.

In reply to the above, has the honor to state that it is not desirable to authorise officers of such inferior rank as shekdars to conduct such enquiries officially. This will create a loophole for perfunctory action on the part of higher officers and possibly to corruption among inferior Revenue Officers. Nor can there be any real necessity for such authorisation, as it should be possible for the Amildars and Deputy Amildars to find out in the course of their tours almost all deserving cases and gather on the spot any information that may be necessary for the disposal of applications presented to them.

2. The shekdars may, while forwarding the applications presented to them under the rules, furnish any information that they may be in possession of. But this cannot in any way obviate the necessity for independent enquiries by Amildars; nor can it absolve them of their responsibility in the matter.

3. The Deputy Commissioner is requested to modify the Circular issued by him in the light of these remarks.

Proceedings of the Government of His Highness the Maharaja of Mysore.

READ—

Government Order No. 3047-56—Agri. 135-05-7, dated the 18th November 1908, according sanction to the revised Draft of Rules for the grant of loans under the Land Improvement Loans Regulation (No. IV of 1890) and Section 194 of the Land Revenue Code (Regulation IV of 1888), and the notification thereunder. **Serial No. 3.**

No. R. 4309-18—Agri. 91-08-3, dated Bangalore, 2nd January 1909.

ORDER THEREON.—On further consideration and in light of facts since brought to notice, Government are of opinion that the rules sanctioned in the above order require revision in several respects.

2. The first and most important respect in which the working of the rules has to be improved is with reference to the provision requiring the production of an encumbrance certificate in the case of every application for a loan. The old rules also embodied a similar rigid provision and this has stood in the way of advances being given promptly and readily, besides rendering the procedure unnecessarily cumbrous and elaborate. The Government are not convinced by the reasons given by the Revenue Commissioner for retaining this provision even in a modified form and consider that the rules obtaining in the Madras Presidency, where the defect in question was remedied so far back as 1905, should be adopted in their entirety. The necessary amendments will accordingly be made in the local rules by substituting the following for the last sentence of Rule XVII:—

"When land or other immovable property is offered as collateral security for a loan under the Land Improvement Loans Regulation, or as security for a loan under Section 194 of the Mysore Land Revenue Code, it will be open to the Deputy Commissioner or other officer empowered to grant the loan to make a reference to the Registration Department in Form No. VII hereto annexed or in some similar form for an encumbrance certificate in respect of the property offered as security, if, for reasons to be recorded in writing, he considers it necessary or desirable to do so. Otherwise in all cases where the land to be improved is itself accepted as the security, no such reference need be made. The search in Registration offices shall be limited to the records of the twelve years preceding the date of application for the loan."

3. The following subsidiary instructions will also be issued for the guidance of officers empowered to enquire into loan applications:—

Subsidiary instructions.

I. Mortgages and other charges on the interest of the borrower are not protected by the proviso to Section 7 (1) of the Land Improvement Loans Regulation of 1890 and are therefore liable to be extinguished if the land is sold with reference to

Sections 143 and 159 of the Land Revenue Code. As far as is consistent with the rights of Government, however, such encumbrances should be respected. When an enquiry made under Rule XVII elicits the fact that such encumbrances exist, the amount of such encumbrances should be deducted from the borrower's interest in the land to be improved, in estimating the value of the security given. But no elaborate enquiry is necessary in order to discover such encumbrances, and if the encumbrancer fails to bring them to notice at the enquiry held under Rule XVII they may be ignored. Due weight should also be given to the fact that the value of the land as security to the mortgagee will generally be increased by the improvement.

II. The proviso to Section 7 (1) of Regulation IV of 1890, protects from extinction, in case of sale, on default, of the land to be improved, other interests which existed before the grant of the loan. It is therefore necessary that special precautions should be taken in order to safegaurd the interests of Government when such other interests exist. The following are instances of the cases in which such other interests exist, and against each are shown the special precautions that should be observed:—

Nature of interest.	*Precautions to be observed.*
(1) The interests of reversioners in the estate of a Hindu female.	(1) When the applicant is a Hindu female, the consent of her reversionary heirs should be obtained.
(2) The interest of the junior members of a joint Hindu family.	(2) An application by the manager of an undivided Hindu family must be supported by evidence that the money is required for the improvement of lands forming the family property. The loan in such a case should be paid in as many instalments as possible and care should be taken to see that the previous payments have all been properly applied before paying any subsequent instalment.
(3) The interest of co-owners when application is made by one of several joint holders of land.	(3) In such cases no loan should be granted except on the following conditions:— (*a*) Where the right of each pattadar is only to a share in the produce, the application for loan should be made by all the joint pattadars. (*b*) Where the right of each pattadar is to a definable portion of the joint holding, the applicant should be required to have his portion sub-divided and separately registered, provided the Survey Rules permit of such sub-division and separate registration. (*c*) Where the conditions specified in (*a*) and (*b*) are not fulfilled, the applicant should be required to furnish collateral security which is itself sufficient for the loan applied for.
(4) The interest of a minor when the application purports to be by his guardian.	(4) Loans may be granted for the improvement of the land belonging to a minor, provided that the applicant is the legally constituted guardian of the minor and that the loan is asked for *bona fide* in the minor's interest. In this case also the

precaution of paying the loan in as many instalments as possible and watching its applications should be observed as in case (2).

III. No reference should be made to the Registration Department for encumbrance certificates in the case of loans under the Land Improvement Loans Regulation, where the land to be improved is itself accepted as sufficient security, the interests of Government being safeguarded by Section 7 of the Regulation. Encumbrance certificates may, as a general rule, be also dispensed with, when land or other immovable property is offered as collateral security under the Land Improvement Loans Regulation or as security for loans under Section 194 of the Land Revenue Code, inasmuch as the applicant for the loan or his surety is required under Rule XIV to make in his application a declaration that the statements contained therein as to the nature and extent of the encumbrances on the property offered as security are true to the best of his information and belief and that he believes that there are no other encumbrances on the property. The Deputy Commissioner or other officer empowered to grant the loan should call for encumbrance certificates from the Sub-Registrar concerned only in special cases in which he deems it necessary to do so, and in such cases he should record in writing his reasons for so doing. The search fees payable to Government in all cases where the amount of loan does not exceed Rs. 750 should be borne by Government.

4. In another respect also the existing rules are calculated to unnecessarily prolong the disposal of applications, and that is by their casting on Amildars the duty of personally conducting the enquiry into each application for a loan. This, it is obvious, stands in the way of applications being disposed of speedily and relief being given in time, as it is practically impossible for the Amildar to hold a local enquiry in each case. The Government consider that the practice obtaining in Madras of authorizing the Revenue Inspectors (Shekdars) to hold local enquiries may with advantage be adopted in Mysore.

The presence of a few incompetent men in the class of shekdars or the fact of some Amildars being perfunctory in their work is not a good reason for not simplifying the rules in this respect to the advantage of the people at large. What is wanted in such cases in the exercise of proper supervision on the part of the higher officers.

In these circumstances the following modifications of the rules will be made:—

(1) In Rule XIV for the words "Amildar or the Deputy Amildar" and in Rule XV for the words "Amildar (including Deputy Amildar)" the word "Shekdar" will be substituted.

(2) In Rule XV after the words "a local enquiry" and before the words "on receipt of an application" there will be inserted the words "when the amount applied for exceeds Rs. 500, the local enquiry shall be held by an officer not lower in rank than an Amildar or Deputy Amildar."

5. In the next place, the maximum limit of loans which officers of the different grades are competent to sanction may, in the opinion of Government, well be raised to the limits allowed by the Madras rules, and, as in Madras, the same limit may be fixed for both kinds of loans instead of a higher limit for loans under the Land Improvement Loans Regulation and a lower limit for loans under Section 194 of the Land Revenue Code.

The following will therefore be substituted for the present Rule II:—

"II. The officers mentioned below shall be competent to sanction loans not exceeding the sum specified against them:—

	Rs.
Amildars and Deputy Amildars	250
Sub-Divisional Assistant Commissioners	500
Deputy Commissioners	1,000
Revenue Commissioner	2,500

Explanation.—An officer is not precluded by this rule from granting several loans to the same individual, although the aggregate amount thereof may exceed the maximum prescribed. Such loans shall, however, be for distinct purposes and be covered by separate and independent security. As a consequential amendment for the figures "500" in Rule XXVI, there will be substituted the figures "1,000." At the end of Form VI, the word 'Shekdar' will be substituted for the word "Amildar" in the two places where it occurs."

6. In view of the large number of amendments now made, a fresh notification embodying the revised rules in extenso will be published in the official Gazette both in English and in Kanarese. The rules will also be reprinted in handy book form, along with the rules for the grant of loans for the construction and improvement of Saguvali Kattes and copies supplied to local officers.

7. In conclusion the Government observe that the working of the rules as now altered will need to be closely watched; and they take this opportunity of again impressing on all Revenue officers the necessity for each of them exercising effectual supervision over the proceedings of his subordinates in regard to the carrying out of the duties entrusted to them under the revised rules.

8. The attention of Assistant Commissioners and Amildars should be specially drawn to this point.

K. S. CHANDRASEKHARA AIYAR,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The Revenue Commissioner.
The Deputy Commissioners of Districts.
The Comptroller.

NOTIFICATION.

No. R. 4319—Agri. 91-08-4, dated 2nd January 1909.

GENERAL RULES FRAMED UNDER SECTION 10 OF THE LAND IMPROVEMENT LOANS REGULATION (NO. IV OF 1890), AND SECTION 194 OF THE MYSORE LAND REVENUE CODE, (REGULATION NO. IV OF 1888).

Serial No. 4.

In exercise of the powers conferred by Section 10 of the Land Improvement Loans Regulation (IV of 1890), and Section 194 of the Mysore Land Revenue Code (Regulation No. IV of 1888), the Government of His Highness the Maharaja of Mysore are pleased to frame the following revised rules, in supersession of those issued under Notification No. R. 3057—Agri. 135-05-8, dated the 18th November 1908.

Objects for which and limits up to which loans may be granted.

I. Loans of money for the following objects may be granted to holders of land subject to the limits specified hereunder.

Objects for which loans may be granted	Amount which may be granted	
	Maximum	Minimum
	Rs.	Rs.
(A) Under the Land Improvement Loans Regulation, IV of 1890—		
For the construction or repair of wells or tanks, the reclamation of waste or any other work by which the letting value of land for purposes of agriculture will be permanently		

Amendments to the General Rules under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code, issued in November 1908.

Objects for which loans may be granted	Amount which may be granted	
	Maximum	Minimum
	Rs.	Rs.
increased and such as are mentioned as "improvement" in clause (*a*) of sub-section 4 of the Land Improvement Loans Regulation or as the Government may, from time to time, by notification in the official Gazette declare to be improvements for the purposes of the aforesaid Regulation	No limit	50
(B) Under Section 194 of the Mysore Land Revenue Code—		
(i) For the purchase of— (*a*) seed grain (including seed sugar-cane, seed plantains, etc.); (*b*) ploughing cattle (including cattle used for raising water and carting manure); (*c*) horse and pony stallions and breeding bulls; (*d*) fodder for cattle; (*e*) manure;	200	No minimum*
(ii) For other agricultural objects, such as— (*a*) the building of houses (including sheds) by cultivators in tracts newly made available for occupation; (*b*) the rebuilding of houses destroyed by fire or flood; (*c*) agricultural implements (including carts); (*d*) erection of indigo vats and such like appliances for dealing with raw agricultural produce; (*e*) erection of double mhotes or other contrivances, for raising water;	1,000	Do
(iii) (*a*) for the erection of sugar-cane mills; or (*b*) for the purchase of other agricultural machinery not specified above (such as boilers, oil-gas engines)	5,000	Do
(iv) for the relief of distress when the existence of such distress has been recognized by Government, to enable holders of land and their dependents to subsist until the ripening of the next harvest	200	Do

* These words were inserted in accordance with Notification No. R. 4651—Agri. 91-03, dated 11th January 1909.

II. The Officers mentioned below shall be competent to sanction loans not exceeding the sums specified against them :—

	Rs.
Amildars (including Deputy Amildars)	250
Sub-Divisional Assistant Commissioners	500
Deputy Commissioners	1,000
Revenue Commissioner	2,500

Explanation.—An officer is not precluded by this rule from granting several loans to the same individual, although the aggregate amount thereof

may exceed the maximum prescribed. Such loans shall, however, be for distinct purposes and be covered by separate and independent security.

Rate of interest.

III. The rate of interest charged shall be 5 per cent per annum, except on loans granted for the relief of distress. In the latter case interest shall be charged at 3 per cent which may be remitted by the Deputy Commissioner at his discretion, in case of borrowers who are known to be poor.

The Government may, if they see fit, grant loans in special cases at reduced interest or without interest.

IV. Interest shall accrue from the date of disbursement of the loan. If the loan is disbursed in instalments, interest on each instalment shall run from the date of the disbursement of such instalment.

Period allowed for repayment and mode of recovery of loan.

V. Loans shall be repayable by fixed annual payments discharging both principal and interest, calculated according to the table appended to these rules.

Simple interest shall be charged on the loan, or if it is disbursed in instalments, on these instalments, up to the date one year previous to the date fixed for commencement of repayment; and the total amount comprising the loan and such interest shall be recovered by annuities as calculated from the said table.

The time allowed for repayment of the loans and the amount of instalments shall be fixed by the Deputy Commissioner (or other officer granting the loan) with reference to the circumstances of the borrower and the object of the loan, regard being had to the probable durability of the works proposed to be constructed, the nature of the appliances proposed to be set up, and the value or sufficiency of the security tendered, but so as not to exceed the maximum limits specified below:—

(A) In the case of loans under the Land Improvement Loans Regulation—	
(i) for the construction or repair of wells	30 years.
(ii) for other purposes—	
if the loan does not exceed Rs. 500	10 „
if the loan exceeds Rs. 500 but does not exceed Rs. 1,000.	15 „
if the loan exceeds Rs. 1,000	20 „
(B) For loans under Section 194 of the Land Revenue Code—	
(i) for the purchase of seed grains	1 „
(ii) for the relief of distress and for the purchase of agricultural implements or machinery	3 „
(iii) for any other purpose	10 „

The time for repayment specified above shall count from the date of the payment of the loan, or where the loan is paid by instalments, from the date of payment of the last instalment and shall be liable to revision under Rules XIII and XXXII.

Provided that nothing in this rule shall be taken to preclude a borrower from discharging the loan at an earlier period or from paying a larger amount than the annual instalment. The excess so paid shall be credited in reduction of principal, and the number of future payments shall, if necessary, be decreased, but no reduction in the amount of the instalments fixed under paragraph 2 of this rule shall on this account be allowed.

VI. The date for repayment of each instalment should be fixed so as to coincide with the date of one of the land revenue khists of the taluk. But the date for the repayment of the first instalment shall be so fixed as to avoid the exaction of the same before the date when by the exercise of due diligence the profits of the improvement might be expected to cover the repayment; and it shall not be demanded within less than twelve months and shall not be put off for more than two

The nature of the security to be required shall be as follows:—

(*A*) *For loans under the Land Improvement Loans Regulation.*—The land to be improved which must include the site of the work to be constructed.

If the value of the applicant's interest in the land to be improved does not exceed by one-fourth the amount of the loan applied for, collateral security shall be required.

Collateral security shall consist of—

(i) other lands belonging to the applicant; or

(ii) lands belonging to other persons who are willing to become his sureties; or

(iii) both.

(*B*) *For loans under Section 194 of the Land Revenue Code.*—The applicant's saleable interest in lands held by him provided that if the value of such interest does not exceed by one-fourth the amount of the loan applied for, collateral security shall be required and such collateral security shall consist of immovable property.

(*C*) When a loan permissible under the Land Improvement Loans Regulation is applied for by the members of a village community or by a group of cultivators on their joint personal security, the Deputy Commissioner may, at his discretion, advance on such security an amount not exceeding five times the annual assessment of the lands registered in the names of the applicants.

Loans under Sections 194 of the Land Revenue Code, repayable within two years and not exceeding Rs. 100 in amount may also be granted by the Deputy Commissioner to a group of cultivators on their joint personal security, provided that the annual assessment of the lands belonging to the applicants is not less than one-fifth of the loan applied for: Provided that in special cases, the Deputy Commissioner may, subject to the same limits and conditions, grant such loans also to individual applicants on their personal security.

XIII. If at any time the Deputy Commissioner, or other officer granting the loan, is satisfied that any person who has received a loan has failed to perform any of the conditions on which it was made, he may, after recording in writing the grounds of his decision, proceed to recover forthwith from such person or any surety of such person any sums which remain due, together with any interest payable thereon and costs, as arrears of land revenue: Provided that such officer may at his discretion so recover any sum less than the whole balance of the loan without prejudice to his right to recover the remainder of such balance at any subsequent time.

Any decision or order passed by such officer under this rule shall be subject to revision by the Revenue Commissioner whose orders shall be final.

Mode of application.

XIV. An application for a loan may be made in writing or orally, to any Revenue Officer of a grade not lower than that of Shekdar. If written, it shall be in terms of Form No. 1 hereto annexed (printed copies of which shall be available free of cost at all Taluk Offices and with shekdars and shanbhogs), and may be presented in person or sent by post or through the village patel or shanbhog. If an oral application is made, the officer to whom it is preferred shall cause it to be recorded in the prescribed form and signed by the applicant. It shall also be the duty of the shanbhog, if so desired by any applicant, to prepare such applications without fee or charge of any kind.

Amendments to the General Rules under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code, issued in November 1908.

Every application for a loan for which land or other immoveble property is offered as security shall contain a declaration signed by the applicant or his security, as the case may be, that the statements made therein regarding the nature and extent of the encumbrances on the property offered as security are true and that there are no other encumbrances on the property to the best of his information and belief. The application shall also show in the column of remarks in Form 1:—

(i) Whether the applicant proposes to supplement the loan by any private capital, and, if so, to what extent.

(ii) The estimated total cost of the proposed work and the probable period that will be occupied in its construction.

(iii) The advantages expected to result from the work.

(iv) The manner and extent to which the proposed work will affect (favorably or injuriously) adjoining or other lands.

When the foregoing particulars are not entered in the application, the officer to whom it is presented shall ascertain them so far as may be possible from the oral statements of the applicant or otherwise, record them on the application or on a paper to be attached thereto and have them read over to the applicant and acknowledged by him to be correct.

XV. No loan shall be granted without a local enquiry. When the amount applied for exceeds Rs. 500, the local enquiry shall be held by an officer not lower in rank than an Amildar or Deputy Amildar. On receipt of an application, or on an application being referred to him, a shekdar or higher officer shall give notice by means of tom-tom in the village that he intends to hold an enquiry into the application and that he will be prepared to receive and consider objections to the grant of the loan. As soon as possible after such notice he shall inspect the land, if any, and make a summary enquiry in the village as to the correctness of the entries in the application.

XVI. The personal attendance of the applicant is not necessary, but he may be required by notice in Form No. 4 hereto annexed or in some similar form, at any time to appear, in person or by duly authorised agent at his option and in case of default the application may be rejected.

XVII. Attention shall be particularly directed to ascertain the *bona fide* and the solvency of the applicant and the sufficiency of the security offered. Careful enquiry shall be made regarding the rights of the applicant in the lands offered as security, in view to ensuring that the applicant is the real owner, and that the land is free from encumbrances or is not burdened with arrears of land revenue or is not already hypothecated to Government for a loan previously obtained. Similar enquiry shall be made in the case of lands offered by sureties as collateral security, care being taken to see that the surety is not only the registered-holder, but the real owner of the land, and that, if he has a divided interest in the land, it is not charged beyond the extent of his individual interest therein except with the written consent of the joint owners. When land or other immovable property is offered as collateral security for a loan under the Land Improvement Loans Regulation or as security for a loan under Section 194 of the Mysore Land Revenue Code, it will be open to the Deputy Commissioner or other officer empowered to grant the loan to make a reference to the Registration Department in Form No. VII hereto annexed or in some similar form for an encumbrance certificate in respect of the property offered as security, if, for reasons to be recorded in writing he considers it necessary or desirable to do so. Otherwise and in all cases where the land to be improved is itself accepted as the security, no such reference need be made. The search in Registration Offices shall be limited to the records of the 12 years preceding the date of application for the loan.

XVIII. Non-official agency may also be employed, wherever it is procurable to aid in making local enquiries.

XIX. The officer holding a local enquiry into an application for loan shall record the results of his enquiry and also his orders admitting or overruling objections, if any have been received, in Form No. 6 hereto annexed or in some similar form; and if he is not himself competent under Rule II to dispose of the application, he shall submit a report in the same form to the authority empowered to do so.

XX. Applications from mortgagees, though in possession, for loans for the improvement of land shall not be complied with.

XXI. When the applicant for a loan for the improvement of land is a tenant claiming to possess an interest, alleged to be transferable, in the land to be improved, and proposes to furnish such interest as security for the loan or any other adequate security, the Deputy Commissioner or other officer granting the loan shall serve a special notice of the application in Form No. 3 hereto annexed or in some similar form, on the landlord personally; or if service on him personally cannot be effected the notice shall be addressed to him by post and a copy of it shall also be affixed to some conspicuous part of his usual residence and to some conspicuous place in the office of the Deputy Commissioner or other officer as aforesaid; or if he does not reside in the district in which the application is made, or if his residence is not known, the notice shall be served on the person who acts as his local agent in respect of the said land. A copy of the notice shall also be affixed on the land and at the village chavadi.

XXII. No such notice shall be deemed to have been served, unless the service is acknowledged by the landlord or his agent, or the fact of its having been duly made in any manner specified above is established to the satisfaction of the Deputy Commissioner or other officer granting the loan. In any case in which the ownership of the land vests in more than one person, and any share-holder therein, or other person, acts as manager on behalf of the share-holders, service on the manager shall be deemed to be service on each of the share-holders.

XXIII. Every such notice shall specify the sum applied for, the nature of the improvement to be made, and the nature of the security proposed for the loan, and shall inform the landlord that, if he desires to raise any objections to the grant of the loan, he must, within one month after service of notice, signify them in writing to the Deputy Commissioner or other officer granting the loan.

If the landlord or his local agent or manager does not signify his objections, or if the Deputy Commissioner or other officer granting the loan, after considering such objections, is of opinion that the applicant has a transferable interest in the land specified in his application and that the value of such interest, either singly or jointly with other security furnished by him, is sufficient for the loan, he may either sanction it or forward the records of the case for the sanction of the higher authority competent to dispose of the application.

If the applicant has no such transferable interest and there is no common understanding as to whether the tenant or the landlord is to have the right of making the improvement, the loan shall be refused unless the landlord consents to the grant thereof.

XXIV. When the work to be undertaken is one requiring professional skill, the applicant may be required to submit to the officer making the local enquiry an accurate plan, specification and estimate for the work. If the applicant is unable to furnish such plan, estimate or specification, the Deputy Commissioner may cause them to be prepared on behalf of the applicant, after requiring him to deposit such sum of money as may be sufficient to cover the cost, or, if he thinks fit, calling upon him to give security for the repayment of the same. In special cases it shall be at the discretion of the Deputy Commissioner to remit such cost.

XXV. When the proposed loan exceeds Rs. 500, the Deputy Commissioner shall obtain from the Executive Engineer his opinion as to the feasibility, probable cost and merits generally, from a professional point of view, of the proposed work;

in any other case, it shall be competent to the officer dealing with the application to call for similar professional opinion, should necessity appear.

Issue of loan order.

XXVI. If, after local enquiry and such further investigation as may be deemed necessary, the Deputy Commissioner, or other officer granting the loan, is satisfied that the loan may be granted, he shall record a decision to the effect that the loan asked for, or a less sum, may be given and shall at once issue an order granting the loan. In case of loans exceeding Rs. 1,000, the loan order will be issued by the Deputy Commissioner after receipt of the sanction of the Revenue Commissioner or the Government as the case may be under Rule II.

XXVII. An order granting a loan shall be in Form No. 8 hereto annexed, and shall be signed by the applicant in token that he understands and agrees to the conditions contained therein. The security bond to be taken when personal security, or collateral security consisting of land or other immovable property is offered by borrowers or sureties shall be in one or other of Forms Nos. 9*a*, 9*b*, 10*a*, and 10*b*, hereto annexed, or in some similar form.

An order rejecting an application for a loan shall be intimated to the applicant by a notice in Form No. 5 hereto annexed or in some similar form.

Disbursement of loans.

XXVIII. In the case of loans for the relief of distress, disbursements shall be made monthly or once every two months. In the case of other loans, the disbursement shall ordinarily be made in two instalments; provided that if the amount of such loan does not exceed Rs. 100, it may, at the discretion of the sanctioning authority, be disbursed in one sum. When an order granting a loan has been issued, every reasonable facility shall be given to the recipient to obtain the money promptly. Officers empowered to grant loans shall endeavour to disburse any sums payable to borrowers during their tours also, after satisfying themselves as to the identity of the persons to whom they disburse the money and that the sums are payable on account of loans duly sanctioned by themselves or by some other officer authorized to sanction such loans, and whether the sums are payable on account of the first or subsequent instalments duly sanctioned.

XXIX. Non-official agency may also be employed, wherever it is procurable, to aid in disbursing money payable on account of loans duly sanctioned.

Summary Grant of Loans.

XXX. Notwithstanding anything contained in Rules XII, XIV and XV, Assistant Commissioners may, while they are on tour and especially in times of scarcity or distress, grant small loans, not exceeding Rs. 50 each, under Section 194 of the Land Revenue Code, for urgent purposes, such as purchase of seed, fodder, ploughing cattle, or agricultural implements, on the application of cultivators jointly or severally, after making a summary enquiry on the spot as to the sufficiency of the security offered. If they are satisfied that the security is sufficient, the amounts payable may be disbursed forthwith on obtaining the necessary bonds of security and receipts of acknowledgment from the borrowers.

Inspection of Works.

XXXI. The works and any accounts kept of the expenditure incurred on them shall be at all times open to the inspection of the Deputy Commissioner or other person authorized by him in that behalf. In the case of loans exceeding Rs. 5,000, the account shall be kept by the borrower in the form that the Deputy Commissioner may prescribe.

XXXII. The Deputy Commissioner shall make necessary provision for ensuring that loans granted under these rules are duly applied to the purposes for which they are borrowed and for proper inspection of the works in the course of their construction. If it should be found that the loan was not used for the purposes for which it was borrowed, the Deputy Commissioner or other officer granting the loan may proceed to recover the loan under Rule XIII.

All works for which loans are disbursed by instalments shall be inspected and reported upon before each instalment subsequent to the first is paid. If the inspection is made by an officer empowered to sanction the payment of the further instalment, he should record the result of his inspection and if satisfied that a further instalment should be paid, he should, if practicable disburse the amount forthwith as provided in Rule XXVIII.

All works shall be inspected and reported as soon as possible after the date fixed for their completion in the order granting the loan. If it should be found that the work has not been carried out in substantial conformity with the proposals made, the officer granting the loan may either require immediate repayment of the whole amount advanced with interest at 5 per cent and costs, if any, or alter the instalment fixed under Rule V, so as to ensure repayment of the loan within the period for which the work is likely to last. In such cases the original loan order shall be cancelled and a fresh order issued, the former being recovered from the borrower, if possible.

Registers and Accounts.

XXXIII. Every sanctioning officer shall keep a register of applications received and disposed of by him in Form No. 2 hereto annexed.

XXXIV. Every Amildar (including Deputy Amildar) shall keep a register of loans and repayments relating to his taluk in Form No. 11 hereto annexed and such other accounts and statements as may, from time to time, be prescribed by Government. A duplicate of this register shall also be maintained in the office of the Assistant Commissioner in charge of the taluk and in that of the Deputy Commissioner.

Loans for improvement of a special nature.

XXXV. The Government may, in the case of improvement of a specified kind or kinds, pass special rules for the grant of loans for them, and except to the extent expressly provided for by such special rules, these rules shall apply to the grant and recovery of all such loans.

By Order,

K. S. CHANDRASEKHARA AIYAR,

Offg. Secy. to Govt., Gen. & Rev. Depts.

No. 1. Form of application for loans under $\frac{\text{the Land Improvement Loans Regulation}}{\text{Section 194 of the Land Revenue Code}}$

1. Name, father's name and residence of applicant.
2. Amount of loan required.
3. Object for which the loan is required.

Particulars of the land to be benefited			The nature and extent of the applicant's right in the land and whether he is the registered holder and whether the land is in his enjoyment	Rights of others in the land		Security offered							Name of the person who agrees to offer the land as security and the nature of his right in it	Nature and extent of encumbrances, if any, on the property when land is offered as collateral security	Whether any arrears are due on land to be benefited or offered as security	Proposed time of repayment	Remarks
						If personal	If land				Other immovable property						
Village, survey number and letter, wet or dry	Extent	Assessment		Name	Nature and extent of right whether as co-sharer mortagee, etc.	Name, father's name and residence of the surety	Survey number	Extent	Assessment	In whose name registered	Extent	Description					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
	A. g.	Rs. a. p.						A. g.	Rs. a. p.		A. g.						

NOTE.—1. Columns 1 to 6 should be left blank in the case of loans under the Land Revenue Code, and column 7 and in case of loans under the Land Improvement Loans Regulation.

2. Full information as to applicant's right to improve the land should be entered in column 4, and as to the right of the party who consents to give other lands as security in column 14.

3. In column 17 should be entered the number of years from the date of payment of the loan within which the applicant proposes to repay the loan. This will not prevent his discharging the loan sooner if he chooses.

4. The State will grant loans to holders of lands (A) under the Land Improvement Loans Regulation, for the construction or repair of wells or tanks, the reclamation of waste or any other work by which the letting value of land for purposes of agriculture will be permanently increased.

(B) Under Section 194 of the Land Revenue Code for the purchase of seed-grain, ploughing cattle, horse and pony stallions and breeding bulls, for the purchase of fodder for cattle and for other agricultural objects such as the rebuilding of houses (including sheds) destroyed by fire or flood, erection of sugarcane mills, indigo vats and such like appliances for dealing with raw agricultural produce, erection of double mhotes or other contrivances for raising water, and for the relief of distress when the existence of such distress has been recognized by the Government to enable holders of land and their dependents to subsist until the ripening of next harvest.

5. Loans under the Land Improvement Loans Regulation are subject to no maximum, but the minimum limit will be Rs. 50. Loans under the Land Revenue Code are subject to a maximum of Rs. 200, for loans granted for the relief of distress and for the purchase of seed-grain, ploughing cattle or horse and pony stallions and breeding bulls and for rebuilding houses destroyed by fire or flood; and of Rs. 1,000 for loans for other agricultural objects, except in case of loans for the erection of sugarcane mills, in which case it will be Rs. 5,000. There is no minimum limit as regards loans under the Land Revenue Code.

6. Application for a loan may be presented or sent by post or otherwise to any Revenue Officer of a grade not lower than Deputy Amildar. It may also be made orally, The application will be free of stamp duty.

7. The rate of interest charged shall be 5 per cent per annum, except on loans granted for the relief of distress under the Land Revenue Code.' In the case of loans for the relief of distress, interest will be charged at 8 per cent, the Deputy Commissioner being granted discretion to remit even this interest when the borrowers are known to be poor.

8. The loan may be discharged by annual instalments regulated so as to repay both principal and interest within the time allowed.

9. Time allowed for repayment will be liable to be shortened if the work on completion be found not sufficiently durable.

10. If the grantee of the loan misappropriates the whole or any portion of the loan or otherwise fails in any of the conditions of the grant, the whole unpaid balance of the loan with interest and costs will be liable to summary recovery.

Form of verification when land or other immovable property is offered as collateral security.

I, the applicant—surety for the above loan, do hereby solemnly declare that what is stated in the above application regarding the nature and extent of the encumbrances on the property offered as security is true to the best of my information and belief and that I believe that there are no other encumbrances on the property.

No. 2. Register of Applications for loans under the Land Improvement Loans Regulation / Section 194 of the Land Revenue Code.

Taluk of.....District of.....for the Revenue year 19 —19

Serial No. of application	Date of receipt of application in the taluk	If the application is received through other officers		Name, father's name and residence of applicant	Name of village in which the loan is to be utilized	Amount of loan required			Purposes for which required	References			Name of officer who investigated and his opinion in brief	Whether loan sanctioned or refused (if refused brief reasons for refusal) number and date of disposal and name of officer sanctioning or refusing the loan applied for	Amount sanctioned, number and date of loan order as per Register of repayments (Form No. 11)	Remarks
		Officers from whom received	Number and date of reference							To whom	Date of reference	Date of receipt of reply				
1	2	3	4	5	6	7			8	9	10	11	12	13	14	15
						Rs.	a.	p.								

Index to Application Register under.

Note.—Cases disposed of should be denoted by enclosing the number by a circle thus (19)

No.	Names of villages in alphabetical order	Number of cases in the application Register	Total in each village
1	2	3	4

Note.—This register should be kept in two sections (but in the same bound volume) one for loan under each Regulation separately.

Amendments to the General Rules under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code, issued in November 1908.

No. 3.—Land Improvement Loans Regulation, IV of 1890, or Land Revenue Code, Regulation No. IV of 1888.

Notice to landlords under Rule XXI.

Name—

Son of

residing at

You are hereby informed that (name) son of residing at and reported to be your tenant having a transferable interest in the lands described below has put in an application for a loan of Rs. from the Government for the purpose of and has offered his interest in the said lands as security for the same, and that if you desire to make any objections to the loan you must do so in writing to the undersigned within one month from the date of service of this notice, failing which the loan will be made to the said on the security offered.

Village	Number and name of the land	Dry or wet	Extent	Assessment	Remarks
			A. G.	Rs. a. p.	

Camp

Date

Amildâr or Deputy Amildar.

Note.—The person entrusted to serve this notice is to deliver a copy to the landlord, and where there are more share-holders than one, to any share-holder. If service in this way cannot be effected, a copy of the notice shall be sent to him by post, and another copy affixed to some conspicuous place in the Deputy Commissioner's office and on the house in which the landlord resides. If he does not reside in the village, or if his residence is not known, the notice shall be served on the person who acts as local agent for the landlord in respect of the said lands. A copy of the notice shall also be affixed on the land and at the village chavadi.

No. 4.—Notice to applicant under the Land Improvement Loans Regulation or Section 194 of the Land Revenue Code.

To son of residing at hamlet of village.

Whereas you are required to appear personally or by agent to give the following information regarding your application for a loan of rupees (here enter particulars) or to execute the necessary documents and receive payment of the loan applied for, you should appear before the on date at

If you fail to appear, your application will be rejected.

Camp

Date

Signature and designation of the officer issuing the loan.

Note.—

This notice is to be sent in duplicate; one copy is to be delivered to the applicant or to some adult male member of his family at his usual place of abode, or to his authorised agent, and the other is to be returned to the officer issuing the notice with the signature of the applicant or his agent. If service cannot be made, the notice must be returned with a note to this effect giving the reasons for failure. Wherever convenient this notice may also be sent to the party by post.

Amendments to the General Rules under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code, issued in November 1908.

No. 2. Register of Applications for loans under the Land Improvement Loans Regulation / Section 194 of the Land Revenue Code.

Taluk of.....District of.....for the Revenue year 19 —19

Serial No. of application	Date of receipt of application in the taluk	If the application is received through other officers		Name, father's name and residence of applicant	Name of village in which the loan is to be utilized	Amount of loan required			Purposes for which required	References			Name of officer who investigated and his opinion in brief	Whether loan sanctioned or refused (if refused brief reasons for refusal) number and date of disposal and name of officer sanctioning or refusing the loan applied for	Amount sanctioned, number and date of loan order as per Register of repayments (Form No. 11)	Remarks
		Officers from whom received	Number and date of reference							To whom	Date of reference	Date of receipt of reply				
1	2	3	4	5	6	7			8	9	10	11	12	13	14	15
						Rs.	a.	p.								

Index to Application Register under.

Note.—Cases disposed of should be denoted by enclosing the number by a circle thus (19)

No.	Names of villages in alphabetical order	Number of cases in the application Register	Total in each village
1	2	3	4

Note.—This register should be kept in two sections (but in the same bound volume) one for loan under each Regulation separately.

No. 5.—Land Improvement Loans Regulation or Section 194 of the Land Revenue Code.

Notice to applicant intimating the rejection of his application.

Application No. of on the file of the Amildar or Deputy Amildar of Taluk District.

(Name) of village is hereby informed that his application for a loan of rupees under the Land Improvement Loans Regulation or under Section 194 of the Land Revenue Code has been rejected for (state here briefly the grounds for rejection.)

Vide this Office Order, dated on application No.

Station

Date

Amildar or Deputy Amildar

Note.—This notice should be prepared in duplicate and one copy delivered to the party or if he could not be found, it should be left for him with some adult male member of his family residing with him or with the headman of the village in which he lives. The other copy should be returned to the Amildar or Deputy Amildar with the certificate under the hand of server as to the mode in which the service was effected. Wherever convenient, this notice may also be sent to the party by post.

No. 6.—REPORT OR RECORD OF THE OFFICER CONDUCTING LOCAL ENQUIRY.

Whether the application is under the Land Improvement Loans Regulation or under Section 194 of the Land Revenue Code.

1. Serial number of applicant.
2. (i) Name and village of applicant.
   (ii) Amount of loan applied for.
3. (i) Village, survey number, description (dry or wet,) area, assessment of land to be improved.
   (ii) Purpose for which loan is sought.
4. (i) Is the applicant the sole owner of the land or does he own it in common with any others? And if the latter, is he the managing member of the family ?
   (ii) If the applicant is a joint holder, have the other holders consented to the proposed improvement in writing ? What is the extent of the applicant's interest in the joint holding and whether they consent to have the applicant's share subdivided.

(iii) If the applicant is a tenant, does he possess any, and, if so, what transferable interest in the land, and has notice under Rule 21 been served on the landlord, and has he given his consent in in writing under attestation of two witnesses?

(iv) If the application has been made on behalf of a minor, is the application signed by his legally constituted guardian? The same particulars as to the extent and nature of the minor's interest in land as under 3 (i) should be added here.

(v) If the applicant is a Hindu widow, do her reversionary heirs consent to the improvement?

5. Is the application *bona fide* and is applicant solvent?

6. Is he in arrears to Government for land revenue or for any instalment of a loan previously obtained?

7. Security—

(a) *If it is the land to be benefited.*

(i) Does the site of the proposed improvement lie in the land to be improved?

(ii) The present value of the applicant's interest in it with grounds for the valuation.

(iii) Are there any pre-existing encumbrances? What are the names of the mortgagees and the amount of their claims?

(b) *If personal—*

(i) Names, status and solvency of sureties.

(ii) Amount agreed to be secured.

(c) *If lands other than the land to be benefited—*

(i) Survey number, description, extent and assessment of the land and the estimated present value of the applicant's or the surety's interest with grounds for the valuation.

(ii) Whether the lands are registered, in the name of the applicant or the surety and whether they are in his possession and

free from encumbrances, and the nature and extent of their interest in the land.

(iii) If the land is already encumbered who are the mortgagees and what are the amounts? Does the excess of the value of the land over the amount of encumbrances cover the amount of advances to be made?

(d) If property other than land—Its description, situation and value with portions of building, well, trees, etc., the nature and extent of pre-existing encumbrances, if any.

Note.—Distinction should be made between land offered as security belonging to the applicant and that belonging to the sureties in case where sureties offer collateral security. If the land forms portion of a field, it should be subdivided.

8. Objection of third parties, if any, to the proposed improvement.

9. Date on which the improvement is expected to begin to yield profit.

10. Recommendations of inspecting officers regarding the amount of loan recommended.

Result of verification, if any, of the lands offered as security in the Registration and Revenue offices of the taluk.

Decision of the officer competent to sanction the loan. (If the Amildar is not the competent officer, his recommendations.)

Signature of Shekdar or other officer conducting the inquiry.

Signature of Shekdar or other officer competent to sanction the loan.

No. 6. Land Improvement Loans Regulation.
Section 194 of the Land Revenue Code.

Loan Application No.....

Village.....

From

No.

Dated

Submitting $\frac{\text{Record of}}{\text{Report of}}$ inquiry.

No. 7.—Reference to Registration Department for encumbrance certificate.

No. Date

To

The Sub-Registrar of

Name of applicant

Amount of loan required

Particulars of land * for which encumbrance certificate is required.

Name of village	Wet or dry	Survey number and letter	Extent	Assessment	Remarks
			A. g.	Rs. a. p.	

Remarks

Amildar or Deputy Amildar.

If other immovable property, it should be suitably described.

No. 7.—Reference to Registration Department for encumbrance certificate.

No.

From Taluk office.

The Amildar of Dated

To Taluk

The Sub-Registrar of

Sir,

As the undermentioned raiyat has applied for a loan of Rs. from Government under, I have the honour to request you to be good enough to cause the necessary search to be made for encumbrances on the lands* noted below and to furnish me with an encumbrance certificate at an early date.

Number and name of village	Name of applicant	Particulars of land offered as security					
		Wet or dry	Survey		Extent	Assessment	Remarks
			Number	Letter			
					A. g.	Rs. a. p.	

I have the honour to be,
Sir,
Your most obedient servant,

Amildar or Deputy Amildar.

* If other immovable property, it should be suitably described.

From

The Amildar of

Taluk.

To

The Sub-Registrar of

Dated

No.

Subject.

Requesting encumbrance certificate fo
the lands mentioned within.

Amendments to the General Rules under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code, issued in November 1908.

No. 8—Order granting a loan under The Land Improvement Loans Regulation. / Section 194 of the Land Revenue Code.

No. of

1. The sum of Rs. is granted to , caste calling , son of residing at (with the consent of , the record of which is hereto annexed *) as a loan under the Land Improvement Loans Regulation / Section 194 of the Land Revenue Code for the purpose of (†) for the benefit of (‡) subject to the following conditions.

2. The conditions referred to are as follow :—

(*a*) That the amount of this loan shall be paid to the aforesaid (name of the borrower) in instalments on the execution of the necessary security bonds, the first on the production of this order at (here enter place at which this order is to be presented for payment), and the second on proof that the first instalment has been properly utilized.

(*b*) (i) That if the first instalment has not been utilized within the period of (here enter the period allowed for the first instalment); or

(ii) If it shall be proved to the satisfaction of the Deputy Commissioner that any portion of the loan has been misapplied to any other purpose than that above specified or that the whole amount of the loan has not been fully applied to the purpose for which it was granted within the period of (here enter period allowed for utilization of full amount of the loan), the whole unpaid balance of the loan or such portion of it as the Deputy Commissioner may determine with interest at 6¼ per cent, and costs, if any, shall be deemed to at once become due.

(iii) If, however, the work should fail altogether owing to causes over which the borrower has no control, the case shall be reported for the orders of the Revenue Commissioner as to whether repayment in whole or in part shall be required.

(*c*) (i) That the loan (‖) with the interest thereon at (¶) per cent shall be repaid by equal annual instalments of Rs. each, falling due with the kist of the revenue year commencing with 19 -19 and ending with 19 -19 . It shall be open to the Deputy Commissioner or the officer granting the loan to reduce the number of instalments and to increase the amount of the annual payment so as to recover the loan within a shorter period than herein allowed if he finds the work after completion not sufficiently durable to last for the period originally mentioned in the loan order.

(ii) Such annual payment shall be made to the village officers, if the demand have been included in the borrower's khate, or to the Amildar, and is in addition to the land assessment. But (**) the land assessment will not be enhanced at any future revision of assessment in consequence of the increased value derived from the improvement, except as provided for in Section 11 of the Land Improvement Loans Regulation.

(iii) If default in the payment of annual instalment on account of the loan occurs and recovery cannot otherwise be made, the entire unpaid balance of the loan or such portion of it as the Deputy Commissioner may determine shall be deemed to at once become due and the whole of the land specified under condition (*d*) or such portion of it as the Deputy Commissioner may deem necessary shall be sold for the recovery of the amount, with interest thereon and expenses of sale, if any.

---

* To be inserted when the loan is being granted with the consent of the person having the right to make the improvement to person not having that right.

† Here describe in detail the purpose of the loan.

‡ Do the lands benefited.

‖ To be omitted when the loan is granted free of interest.

¶ Here enter the rate of interest which is ordinarily 3 per cent in the case of loans granted for the relief of distress and 5 per cent in all other cases.

** To be used only in the case of loans under Land Improvement Loans Regulation.

(*d*) (††) That for the repayment of the loan with interest and costs, if any, due on the same, the immovable propery specified below is (in addition to the land for the benefit of which the loan is granted), (00) hypothecated as collateral security to Government.

Signature of the officer granting the loan.

I have understood and agreed to the aforesaid terms and condition.

Signature of the borrower.

†† NOTE—All immovable property hypothecated as collateral security, whether by a borrower himself or by a surety or sureties, should be specified in the margin of this clause (*d*) of the order granting the loan, and should, as well as the land to be improved, be described as nearly as may be, in the manner prescribed in Section 21 of the Registration Regulation, 1903. If the loan is granted for the relief of distress substitute in condition (*a*) after the word "bonds" "monthly or once every two months" and omit the words "the first" and the words "and the second" to the end of the clause.

(00) The words in brackets to be omitted in case of loans under Section 194 of the Land Revenue Code.

Form 8—continued.

RECOVERIES.

Sum to be paid				Distribution of the fixed instalment between interest and principal						Sums repaid									Balance due								
Revenue year	Amount			Interest at per cent from the date of loan to date of first instalment and in subsequent years for one year on the amount shown in column 2			Principal			Amount paid in the year			Credited to						Interest (*i.e.*, columns 3 & 4 minus column 6)			Principal (*i.e.*, difference of columns 2 and 7 column 7)			Initials of the Amildar	Remarks
													Interest			Principal										
1.	2			3			4			5			6			7			8			9			10	11
	Rs.	a.	p.	Rs.	a.	p.	Rs	a.	p.	Rs.	a	p.	Rs.	a.	p,	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.		

Amendments to the General Rules under the land Improvement Loans Regulation and Section 194 of the Land Revenue Code, issued in November 1908.

No. 9 (*a*)—Security bond to be executed by a borrower or borrowers.

This instrument made the day of 191 between of (hereinafter called "the Mortgagor") of the one part and the Dewan of Mysore (hereinafter called "the Mortgagee") of the other part

WHEREAS the Mortgagor $\frac{\text{has}}{\text{have}}$ received from the Deputy Commissioner of acting for and on behalf of the Mortgagee an order under $\frac{\text{The Land Improvement Loans Regulation, 1890}}{\text{Section 194 of the Land Revenue Code, 1888}}$ and dated the day of 19 in virtue of which the Mortgagor $\frac{\text{is}}{\text{are}}$ entitled to receive the aggregate sum of Rs. as a loan from the Mortgagee for the purpose of (here describe the work to be carried out or other object of the loan) and WHEREAS security for the due application of the amount of the said loan and for the punctual repayment of the same according to the terms of the said order is demanded by or on behalf of the Mortgagee and in order to furnish such security the Mortgagor has agreed to sign these presents.

NOW THESE PRESENTS WITNESS that in consideration of the said loan and in pursuance of the said agreement the Mortgagor doth hereby transfer to the Mortgagee, his successors and assigns the immovable property described in the schedule hereunder written with the appurtenances thereto subject to redemption as hereinafter mentioned.

AND it is hereby agreed that if the Mortgagor, $\frac{\text{his}}{\text{their}}$ legal representatives and assigns shall duly comply with the terms on which the said loan has been granted and shall apply the same and every part thereof in the manner provided in the said order and shall duly repay the amount of the said loan together with any interest which may have become payable thereon or on any part thereof and all costs if any incurred by the Mortgagee, his successors or assigns in making the said loan or otherwise in connection therewith the Mortgagee, his successors or assigns shall thereupon retransfer the said immovable property to the Mortgagor, his legal representatives or assigns or as he or they shall direct.

PROVIDED always and it is hereby agreed that in case the Mortgagor, his legal representatives or assigns shall fail to comply with the terms on which the said loan has been granted either by applying the amount thereof or any part thereof otherwise than as in the said order provided or shall not duly repay the amount of the said loan or any part thereof or any interest thereon or on any part thereof or any such costs as aforesaid then and in any such case it shall be lawful for the Mortgagee, his successors and assigns or the Deputy Commissioner for the time being of to sell the said immovable property or any part thereof and out of the proceeds of such sale to make good to the Mortgagee, his successors or assigns the amount which in consequence of any such default shall be payable by the Mortgagor, his legal representatives or assigns.

In witness whereof the Mortgagor $\frac{\text{has}}{\text{have}}$ hereunto set $\frac{\text{his}}{\text{their}}$ hand the day and year first above written.

Amendments to the General Rules under the and Improvement Loans Regulation and Section 194 of the Land Revenue Code, issued in November 1908.

THE SCHEDULE ABOVE REFERRED TO

Registration District	Registration Sub-District	Village	If the property is house property				If cultivable land				
			Boundaries of the property	Description and value of buildings and how long likely to last	Extent of buildings site and of vacant ground or compound	Trees, wells, etc.,	Survey number	Wet or dry	Extent	Assessment	Trees, wells, etc.
1	2	3	4	5	6	7	8	9	10	11	12.

(Signature of borrower.)

Witness
(1) , son of , village of
(2) , son of , village of
Signed by the abovenamed
in the presence of

No. 9 (*b*).—Security bond to be executed by a surety for a borrower.

THIS INSTRUMENT made the day of 191 between of (hereinafter called "the Mortgagor") of the one part and the Dewan of Mysore (hereinafter called "the Mortgagee") of the other part.

WHEREAS $\frac{\text{has}}{\text{have}}$ received from the Deputy Commissioner of acting for and on behalf of the Mortgagee an order under $\frac{\text{The Land Improvement Loans Regulation, 1890}}{\text{Section 194 of the Land Revenue Code, 1888}}$ and dated the day of 191 in virtue of which the said $\frac{\text{is}}{\text{are}}$ entitled to receive the aggregate sum of Rs. as a loan from the Mortgagee for the purpose of (here describe the work to be carried out or other object of the loan) AND WHEREAS security for the due application of the amount of the said loan and for the punctual repayment of the same according to the terms of the said order is demanded by or on behalf of the Mortgagee and in order to furnish such security the Mortgagor has agreed to sign these presents.

NOW THESE PRESENTS WITNESS that in consideration of the said loan and in pursuance of the said agreement the Mortgagor doth hereby transfer to the Mortgagee, his successors and assigns the immovable property described in the schedule hereunder written with the appurtenances thereto subject to redemption as hereinafter mentioned.

AND it is hereby agreed that if the said $\frac{\text{his}}{\text{their}}$ legal representatives and assigns shall duly comply with the terms on which the said loan has been granted and shall apply the same and every part thereof in the manner provided in the said order and the said, $\frac{\text{his}}{\text{their}}$ legal representatives or assigns or the Mortgagor or his legal representatives shall duly repay the amount

of the said loan together with any interest which may have become payable thereon or any part thereof and all costs if any incurred by the Mortgagee, his successors or assigns in making the said loan or otherwise in connection therewith the Mortgagee, his successors or assigns shall thereupon retransfer the said immovable property to the Mortgagor, his legal representatives or assigns or as he or they shall direct.

PROVIDED always and it is hereby agreed that in case the said , his/their legal representatives or assigns shall fail to comply with the terms on which the said loan has been granted either by applying the amount thereof or any part thereof otherwise than in the said order provided or in case the said his/their legal representatives or assigns or the Mortgagor or his legal representatives shall not duly repay the amount of the said loan or any part thereof or any interest thereon or on any part thereof or any such costs as aforesaid then and in any such case it shall be lawful for the Mortgagee, his successors and assigns or the Deputy Commissioner for the time being of to sell the said immovable property or any part thereof and out of the proceeds of such sale to make good to the Mortgagee, his successors or assigns the amount which in consequence of any such default shall be payable by the said his/their legal representatives or assigns.

Provided also and it is hereby agreed that although as between the said and the Mortgagor, the Mortgagor is surety only for the said yet as between the Mortgagor and the Mortgagee the Mortgagor is to be considered as principal debtor for the principal moneys, interest and costs intended to be hereby secured so that the Mortgagor or his legal representatives shall not be released or exonerated by time being given to the said his/their legal representatives or by any other dealing, act, matter, or thing whatsoever whereby the Mortgagor or his legal representatives as surety or sureties only for the said and his/their legal representatives would be so released or exonerated.

IN WITNESS whereof the Mortgagor has hereunto set his hand the day and year first above written.

THE SCHEDULE ABOVE REFERRED TO.

Registration District	Registration sub-district	Village	If the property is house property				If cultivable land				
			Boundaries of the property	Description and value of buildings and how long likely to last	Extent of building site and of vacant ground or compound	Trees, wells, etc.	Survey number	Wet or dry	Extent	Assessment	Trees, wells, etc.
1	2	3	4	5	6	7	8	9	10	11	12

Witness— Signature of surety.

(1) , son of , village of

(2) , son of , village of

Signed by the above named

in the presence of

No. 10 (a)—Personal security bond to be executed by a borrower.

KNOW all men by these presents that I of caste son of and residing at am bound to the Dewan of Mysore in the sum of Rs. (amount of loan) to be paid to the said Dewan of Mysore or to his certain attorney, successors or assigns. For which payment I bind myself, my heirs, executors, administrators and legal representatives by these presents.

Dated this day of 19 .

WHEREAS the above bounden has on the day of 19 received from the Deputy Commissioner of an order under Section 194 of the Land Revenue Code in virtue of which he is entitled to receive the aggregate sum of rupees (the amount of loan) as a loan from the Government of Mysore for (here state the object of the loan). Now the condition of the above written bond is such that if the above bounden his heirs, executors, administrators and legal representatives shall comply with all the terms on which the said loan has been granted and shall not apply the same or any part thereof to any purpose other than that/those for which the said loan has been granted and shall repay the said loan with any interest payable thereon by the instalments by which the same is payable on or before the respective dates prescribed for the payment of such instalments or shall in case of any default in so doing make good to the Government of Mysore the amount not exceeding the said sum of Rs. for which the said shall by reason of any such default become liable. Then the above written bond shall become void otherwise the same shall remain in full force.

Signed by the abovenamed in the presence of

No. 10 (b)—Personal security bond to be used when a loan is granted under The Land Improvement Loans Regulation / Section 194 of the Land Revenue Code to groups of cultivators.

KNOW ALL MEN that by these presents that we (names of group of cultivators to be entered here) of (the caste, to be entered against each name) caste, (calling of each cultivator to be entered) calling, sons of (father's names to be entered), residing at (village to be entered) are bound to the Dewan of Mysore in the sum of Rupees (amount of loan) to be paid to the said Dewan of Mysore, his certain attorney successors or assigns. For which payment we bind ourselves and each of us our and, each of our heirs, executors, administrators and legal representatives jointly and severally by these presents . dated this day of one thousand nine hundred and

WHEREAS the above bounden (names of group of cultivators to be entered here) have on the day of one thousand nine hundred and received from the Deputy Commissioner of an order under The Land Improvement Loans Regulation / Section 194 of the Land Revenue Code in virtue of which they are entitled to receive the aggregate sum of (amount of loan) rupees as a loan from the Government of Mysore for (here describe the work to be carried out or other object of the loan). NOW the condition of the abovewritten bond is such that if the above, bounden (names of group of cultivators to be entered here) and each and every of them, their and each and every of their heirs, executors, administrators and representatives shall comply with all the terms on which the said loan has been granted and shall not apply the same or any part thereof to any purpose other than that for which the said loan has been granted and shall repay the said loan by the instalments by which the same is repayable on or before the respective dates prescribed for the payment of such instalments or shall in case of any such default make good to the Government of Mysore the amount not exceeding the said sum of rupees for which they the said (names of group of cultivators to be entered) or any or either of them shall by reason of any such default become liable. Then the above-written bond shall become void, otherwise the same shall remain in full force.

Signed by the abovenamed in the presence of

(A similar attestation for each signature of the borrowers.)

No. 11—FORM OF REGISTER OF REPAYMENTS

(A separate page to be set apart for each loan.)

Number and date of order granting the loan	Name and residence of the holder of the order granting the loan	Amount of loan granted	Repayments						Remarks
			Number of instalments in which the loan is repayable	Amount of each instalment in accordance with the scale in the table of equated payments	Date on which each instalment is due	Date of payment of instalment	Amount of instalment paid	Interest paid on arrears of instalments	
1	2	3	4	5	6	7	8	9	10

N. B.—Column 10 to be used for noting postponement of instalment under Rule VII or remission under Rule IX, if any.

Amendments to the General Rules under the Land Improvements Loans Regulation and Section 194 of the Land Revenue Code, issued in November 1908.

Table of Annuities (Rule V).

Years	Interest at 5 per cent	Interest at 3 per cent
1	2	3
1	105·000	103·000
2	53·781	52·261
3	36·727	35·363
4	28·201	.....
5	23·097	.....
6	19·703	.....
7	17·282	.....
8	15·473	.....
9	14·068	.....
10	12·950	.....
11	12·039	.....
12	11·282	.....
13	10·645	.....
14	10·102	.....
15	9·634	.....
16	9·227	.....
17	8·870	.....
18	8·555	.....
19	8·274	.....
20	8·024	.....
21	7·800	.....
22	7·597	.....
23	7·414	.....
24	7·247	.....
25	7·095	.....
26	6·956	.....
27	6·829	.....
28	6·712	.....
29	6·605	.....
30	6·506	.....

NOTE.—(1) Column 2 shows the annual instalment necessary to pay off a loan of Rs. 100 at 5 per cent interest in a given number of years, the first instalment being assumed to be payable one year after the disbursement of the loan.

Column 3 shows the same with interest reckoned at 3 per cent. The maximum term allowed for repayment of loans charged at 3 per cent is only three years (*vide* Rule III).

To adapt this table to cases where the loan is disbursed in instalments, instead of in one lumpsum or where the repayment of annuities is made to commence after varying periods (instead of one year) reckoned from the date of disbursement of the loan or of the last instalments thereof, calculate the amount of the loan or of the last instalment thereof, calculate the amount of the loan or of the instalments of the same with simple interest up to the date one year previous to the date fixed for the commencement of repayment, and then work out for this amount the required annuity from the table by Rule of Three.

Amendments to the General Rules under the Land Improvement Loans Regulation and Section 194 of the Land Revenue Code, issued in November 1908.

NOTIFICATION.

No. R. 4651—Agri. 91-08, dated 11th January 1909.

ERRATUM.

In the column headed "Minimum" in Rule I of Notification Serial No. 5. No. R. 4319—Agri. 91-08-4, dated the 2nd January 1909, prescribing revised rules for the grant of loans for improvement of lands and takavi advances, the word "ditto" opposite to item (B), clause (1) shall be replaced by the words "no minimum."

By Order,

K. S. CHANDRASEKHARA AIYAR,

Secy. to Govt., Gen. & Rev. Dept.

To—The Compiler, *Mysore Gazette*, for publication in the next Gazette and also for necessary correction of the rules to be published in a book form as directed in G. O. No. R. 4309-18—Agri. 91-08-3, dated 2nd January 1909.

Memo No. R. 4652-61, dated 11th January 1909.

Copies of the above notification are forwarded to the Revenue Commissioner, Comptroller and the Deputy Commissioners of Districts.

By Order,

K. S. CHANDRASEKHARA AIYAR,

Secy. to Govt., Gen. & Rev. Dept.